

GIRL OWNS THAT SHE PERJURED HERSELF

Says Her Attorney Advised Her
to Testify to an Un-
truth.

SENSATION IS SPRUNG IN HOBEN HEARING

False Statement of Plaintiff
May Free Bingham News-
paper Man.

There were some sensational developments Thursday in the trial of Martin F. Hoben, a well known Bingham newspaper man, on a felony charge, in which Miss Edna Thomas of Bingham Junction is the complaining witness. The hearing is before Judge Armstrong in the criminal division of the Third District court.

The alleged offense occurred, according to the information, on April 1, 1906, and at the time of the arrest of Hoben, Miss Thomas swore, as she did at the preliminary hearing, that she was under 18 years of age at the time. She swore upon both occasions that she was 18 years old on November 21, 1906. The age of the girl is important, for the reason that if Hoben should be found guilty on the charge upon which he is now being tried, he could be sent to the State prison for a term of five years. If the girl was over 18 years of age at the time, he could only be found guilty of a misdemeanor, the maximum penalty for which is six months in the county jail.

Admits Having Perjured.

The sensation in the case came upon the cross-examination of Miss Thomas Thursday afternoon, when she admitted that she was 18 years old on November 21, 1906. She said, however, that her relations with Hoben began before her eighteenth birthday.

"Then you committed perjury when you testified that you were not 18 years of age until November 21, 1906?" asked the attorney for the defense.

"I did," was the reply.

"Why did you do it?"

"I did it on the advice of my attorney, A. B. Edler, who told me that Hoben should be punished more than would be possible were it to be known that I was over 18 years of age at the time."

Miss Thomas then indulged in a tirade of abuse of Hoben. She declared vehemently that he was a forger and had man generally, and that he should not be called a man.

"Do you think of anything else you wish to say about the defendant?" was asked by counsel for Hoben when Miss Thomas paused for breath.

"Well, if I said all I know and think, it would take me all day," was the reply.

Miss Thomas testified upon direct examination Thursday that she was under 18 years of age at the time of the commission of the alleged offense, but the attorneys for Hoben had secured affidavits from her former home, one of which was from the physician who attended the mother, showing that she was a year older than she claimed to be.

Defendant Is Soiled.

When the cross-examination was taken up, Miss Thomas very readily admitted that she had perjured herself, but threw the blame on Mr. Edler. When asked specifically why she took the alleged advice of Edler, Miss Thomas said: "Well, I thought he knew more about the matter than I did."

Miss Thomas was also asked why she did not testify as to the beginning of her relations with Hoben, if they began prior to November 21, 1906. Her reply was that she was ashamed to think she was "so easy" as to do what she had done upon such a short acquaintance with Hoben.

Hoben appeared in court with a badly discolored face, the result of a fight which he had in Bingham recently, and in which he got decidedly the worst of the encounter. His face is still black and blue to an extent that renders him hardly recognizable.

The hearing has not been completed at the hour of adjournment, and will be resumed Friday morning. Mr. Looftbrow will contend that if Miss Thomas was over the age of consent at the time of the offense, Hoben can still be convicted of a misdemeanor. The defense will take the opposite view.

CHARGES COMPANY WITH APPROPRIATING STOCK

M. Kimball filed an action against the Success Mining company, Ernest Williams, Jesse Knight, Jacob Evans and W. Lester Mangum, in the Third District court Thursday, in which an accounting is asked.

Mr. Kimball alleges that he has been the owner of 4000 shares of Success stock since a date prior to 1906. He is then alleged that in October, 1906, the Success company transferred all of its holdings to the Colorado company, receiving therefor 75,000 shares of Colorado company stock, which was to have been distributed to holders of Success stock upon the basis of 365 shares of Colorado for 1000 shares of Success. Kimball next alleges that the companies have refused to transfer to him the stock to which he is entitled, but have transferred it to some other person.

In conclusion, Kimball alleges that the stock to which he is entitled, together with the dividends which have been declared thereon, is worth \$4000, and he asks for an accounting and judgment for whatever sum may be found due to him.

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In every day living Grape-Nuts is a powerful factor in overcoming weak digestion and in building up steady, clear, dependable brains.

"There's a Reason."

SAYS SISTER DUPED HER DYING FATHER

Arthur Goodall Sues to Recover
\$1016 Left in Bank by
Parent.

There is trouble between Arthur Goodall and his sister, Mary Goodall Perry, over \$1016 left in the bank by their father, James Goodall, at the time of his death in this city February 24, 1908. The matter reached the court Thursday, when Arthur Goodall filed a sensational injunction suit against his sister.

Mr. Goodall says in his complaint that for more than a week prior to his death James Goodall was partly unconscious and wholly incompetent to transact business. Notwithstanding this fact, however, it is alleged, Mary Goodall Perry, by means of fraud, deceit and undue influence induced him on February 22, two days before his death, to assign to her the money in bank. It also is alleged that the assignment was without consideration, and that Mrs. Perry has since had the money transferred to her name and withdrawn \$400 from the institution.

It is then alleged that unless restrained by the court, the remainder of the money and place it beyond the jurisdiction of the court, to the damage of the plaintiff.

The special administrator therefore prays that the court assign the money to the plaintiff, and that she be restrained from further interference with the money pending a hearing.

A restraining order, an order to show cause has been issued by the court.

MRS. MOLLER ASKS DIVORCE FROM SPOUSE

Makes Serious Charges Against
Man Who Accused Her
of Desertion.

The sequel to the troubles between Nicholas Moller and his wife, Johanna Moller, which have been abundantly aired in the press of the city, came Thursday when Mrs. Moller filed an action for divorce against her husband. A week ago Moller went to the office of the county attorney and complained that his wife had run away with a friend of the family, taking their only child with her. A few days later, Mrs. Moller and a number of her relatives appeared before the office of the county attorney and represented that Mrs. Moller had left her home because of cruel treatment on the part of her husband. The matter was then dropped as far as the county attorney's office was concerned.

This was the last heard of it until Mrs. Moller filed her action for divorce in the third district court. Mrs. Moller alleges that she was married to Moller October 21, 1904, and that they have one child, a boy, two years old.

Mrs. Moller then alleges that in September, 1906, while she and her husband were on a visit to Germany, he grabbed her by the head, jerked her from the kitchen into the dining room and otherwise mistreated her, at the same time striking the baby. It is further alleged that Moller often struck the child, and sometimes grabbed it by the throat. February 29, Mrs. Moller then alleges, her husband struck her a violent blow upon the nose and locked her in a room at their home. She effected her escape by crawling through a window, and sought refuge with relatives.

Mrs. Moller asks a decree of divorce, the custody of the child and sufficient alimony to enable her to provide for the child, together with temporary alimony and suit money, pending a final adjudication.

Kodaks and Kodak Finishing.
Salt Lake Photo Supply Co., 142 Main St.

WINS CASH PRIZE IN SCHOOL DEBATE

George R. Hancock was well pleased Thursday when he received a letter from his son, John Hancock, a student at Lawrenceville, N. J., announcing that he had been awarded the first prize of \$25 for winning a school debate. Mr. Hancock then affixed the question as to whether or not an employer should be responsible for compensation to an employee who sustains an injury while at work, and preventing the employer from pleading that the employee was negligent, or that his injury was the result of the negligence of a fellow employee.

ENGLISH PETITION FOR TSCHAIKOVSKY'S PARDON

ST. PETERSBURG, March 5.—M. Tschaikevsky, who is awaiting trial for revolutionary utterances, was visited today by physicians, who are to determine the state of his health.

Mme. Tschaikevsky will present to Premier Stolypin an English petition in favor of her husband, signed by 300 leading clergymen and members of the nobility. This is the petition that Count Benckendorff, Russian Ambassador in London, declined to forward to St. Petersburg. It will be followed by a general English petition, the signatures to which are now being assembled in London.

PROVO NEWS NOTES

Special to The Tribune.

PROVO, March 5.—Papers on appeal from the justice court of Springville, in which Springville is plaintiff and John Sprague is defendant, were filed in the district court today. The defendant was found, guilty February 17, of selling intoxicating liquor and sentenced to serve 180 days in the county jail and pay a fine of \$200. From this judgment McNary appealed.

Judgment was rendered in the District court today in favor of Wayne McFadden and against Allan G. Lamson for \$1045.20 and \$12.50 costs. The plaintiff sued to recover for labor performed by himself and several others.

Marriage licenses were issued today to Otto F. Birk and Martha M. Hoggard of American Fork, and James M. Sunstun of Chester and Ida Maycock of Springville.

LITTLE CHANCE FOR THE FIRE FIEND HERE

Superintendent Christensen
Says Salt Lake School Build-
ings Are Safeguarded.

Since reading the newspaper accounts of the fire in a Cleveland, O. school building, which resulted in the death of 180 children and the injury of many others, some of the patrons of the Salt Lake public schools have become slightly apprehensive as to precautions against fire in the school buildings of this city.

There is virtually no cause, however, for any feeling of fear in this regard. In the first place, the heating plants of the Salt Lake school buildings are separate from the buildings—not under them, as was the case at Cleveland. In the second place, the pupils of the Salt Lake schools have been drilled for years, for the sole purpose of preventing a panic in case of fire, which, in view of the arrangements, is nearly impossible.

In the Hamilton, Union, Bryant and Fremont, spiral fire escapes have been installed, and in some of these schools the building has been emptied of pupils in seventy seconds. In other buildings, where there are no spiral fire escapes, every precaution possible has been taken in the way of roomy halls and exits, and at the fire drills, which have always been a feature of these buildings, the pupils have always been able to reach the outside in from one to two minutes.

Superintendent Christensen says that there is virtually no possibility of fire being communicated to any of the buildings, and that if it should be, the pupils are so well drilled that they could be taken from any building in the city within a minute or two.

FIRE DRILL IS HELD AT THE HIGH SCHOOL

Students March Out Into the
Snow in Very Quick
Time.

Fire drill was held Thursday at high school on account of the disaster in Cleveland, O. Mr. Eaton thought there was no time like the present, and marched the whole school out into the snow. The teachers all stood heroically at their posts until every student had left the rooms.

The senior assembly is on the first floor of the main building. They were able to get out in fifty seconds. It took the juniors two minutes to come from their room on the third floor of the same building. The freshmen and sophomores are in one assembly on the second floor of the gymnasium building. The boys, leaving by one exit, got out in four buildings and one second, while it took the girls nearly four minutes. There are about seven hundred pupils in these two classes.

Both the buildings are considered practically safe from fire disasters, since there are plenty of exits which open outwards and the boiler room is in a separate house. But the pupils are not always in these rooms. They have each class in a different room and so will have to be instructed as to the quickest exit from each of these.

Mr. Eaton intends to have these drills often, until every one will know just where he is to go from any room in all four buildings.

There has been no fire practice since three years ago, when the students took advantage of the fire day and their opportunity and all set out for the mountains, where they had a nature study. This is hereby forbidden.

Thursday like Thursday was chosen for the drill.

SEVERAL SURPRISES AT SANTA ANITA TRACK

LOS ANGELES, March 5.—Antioch, a 12 to 10 favorite, made a runaway affair of the second race, beating the party today, winning from Ollie Ward by 2 lengths, who in turn bested Minuteman, 20 to 1 shot, by a head. The fifth race, at one o'clock, was won by Slender, 12 to 1, second choice in the betting. Early Tide got the place and Center Shot, the favorite, was second.

There has been no fire practice since three years ago, when the students took advantage of the fire day and their opportunity and all set out for the mountains, where they had a nature study. This is hereby forbidden.

Thursday like Thursday was chosen for the drill.

First race, five and one-half furlongs, selling—Korossy, 97 (Goldstein), 9 to 1, won; Booger Red, 98 (Preston), 3 to 1, second; Slender, 100 (A. Walsh), 12 to 1, third. Time, 1:07. Daisy Frost, Godfather, Sharp Boy, Blue Bottle finished as named.

Second race, four furlongs, selling—Antioch, 96 (Jensen), 12 to 10; Ollie Ward, 98 (Preston), 12 to 1; Slender, 100 (A. Walsh), 12 to 1, third. Time, 1:07. Daisy Frost, Godfather, Sharp Boy, Blue Bottle finished as named.

Third race, six furlongs, selling—Mathews, 110 (Boland), 4 to 1, won; Turnaway, 102 (W. Kelly), 5 to 1, second; Kerry, 105 (Dugan), 2 to 1, third. Time, 1:13.3. Sparkles, Lois Cavanaugh, Reclamer, Aristotle, Courier, Red, Waldorf Belle, J. F. Anderson, Kintuck finished as named.

Fourth race, mile and an eighth, selling—Elle, 111 (Dugan), 8 to 1, won; Associate, 107 (Shriner), 8 to 1, second; Bragg, 109 (Boland), 13 to 1, third. Time, 1:54.3. Monaco Maid, Box Elder, County Clerk, Red Tiliest, Perry Wickes finished as named.

Fifth race, mile, purse—Slender, F. 109 (Schilling), 2 to 1, won; Early Tide, 102 (Dugan), 3 to 1, second; Center Shot, 92 (Dugan), 3 to 1, third. Time, 1:49. Summer Cloud also ran.

Sixth race, mile and an eighth, selling—Bonnie Prince Charlie, 106 (Schilling), 2 to 1, won; Early Tide, 102 (Dugan), 3 to 1, second; Hualpa, 107 (Shriner), 15 to 1, third. Time, 1:54.2.5. Belasco, Paid J. Lora, those popularity is greater. Seals are on sale at the Chamberlain music store, 51-53 Main street; also the Clayton music store. Reserved seats, \$1.00; general admission, 75c.

Card of Thanks.

To all those that have assisted in paying the last respects to our beloved wife and mother and extended to us their sympathy in our bereavement, to the members of the reading club and ladies of the Order of the Eastern Star, the ladies of the Lloyd Alliance, Unity church and Unity quartette, we desire to express our heartfelt and sincere thanks.

J. M. MARRIOTT AND CHILDREN.

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TOUR OF INTEREST OF THE EXPOSITION

N. R. Sibley Says Alaska-Yukon
Show at Seattle Will
Eclipse All Others.

N. R. Sibley, one of the directors of the Seattle Commercial club, has been spending the past few days in Salt Lake, looking over the attractions of the city and arranging for some action by the commercial bodies of Salt Lake in regard to the Alaska-Yukon exposition, which is to be held in Seattle during the summer of 1909.

Mr. Sibley is on his way East, having come recently from Los Angeles, which he had reached by water trip from San Francisco. He will proceed from here to Denver, where he will receive his credentials as a director of the exposition, and will then make a complete tour of the country in the interests of the project, traveling through the Southern States and along the Atlantic coast as far as Boston and returning West along the northern boundary.

He expressed himself as well pleased with this city, although the storms of the past two days have interfered somewhat with Salt Lake's appearance. "Work on the buildings of the exposition is going forward at a great rate," he said, "and it is expected that the exposition will greatly exceed in size and attractiveness the last great exposition given in the West, at Portland, Or., the Lewis and Clark exposition of 1905."

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TAKE STATEMENT OF WOUNDED AUSTRIAN

Authorities Fear Man Shot by
D. & R. G. Watchman
Will Die.

Anticipating the death of Mat Zoraf, Austrian, who was shot by Special Night Watchman Mace Cochrane of the Denver & Rio Grande for stealing coal from the railway company's cars at Bingham Junction, Assistant County Attorney P. T. Farnsworth, accompanied by an interpreter, George Belich, visited the Holy Cross hospital late Thursday afternoon and took Zoraf's ante-mortem statement.

Zoraf's statement is similar to that he made to a reporter from the hospital, in which he said that he was walking away from a coal car with four or five lumps of coal in his arms, some one called him to halt. In his last statement he says that the call to halt had no more than been given when he was fired at, the bullet striking him in the back. He fell to the ground, and as he fell a second shot passed over his head, he says. He admits the theft of coal, in company with two countrymen, but denies that he climbed upon a coal car, tumbled the fuel to the ground and sacked it up to carry away.

The statement was obtained in response to a request from the hospital, about 4 o'clock Thursday afternoon that Zoraf was sinking and likely to die at any hour.

Cochrane, Zoraf's assailant, furnished \$500 bond Thursday, and was released from the county jail, where he had been held from the time of the shooting until Thursday. The bond was furnished by a local surety company.

FAVORITE RUNS LAST AND IMPORT WINS

SAN FRANCISCO, March 5.—In the Colma handicap, 1 1/2 miles today, Tom Shaw, a favorite, pleased his backers to the stretch, when he fell away back, finishing last. Import, the longest shot of the race, came on the rail and grabbed the purse. Massa, who finished second, met with considerable interference. Early Tide came to the line suddenly and ran a clever race.

First race, three furlongs, selling—Minnie Bright, 102 (Gilbert), 2 to 1, won; Import, 109 (A. Walsh), 12 to 1, second; False Nun, 107 (W. Kelly), 9 to 1, third. Time, 37.1.5. Who, Lackville and Bonanza finished as named.

Second race, six furlongs—Salvage, 108 (W. Miller), 4 to 5, won; Prestige, 115 (Buxton), 12 to 1, second; Buford, 109 (Buxton), 13 to 5, third. Time, 1:15.4.5. Pontotoc, Ruth W., St. Albans, Byron, Baker and Roy Davis finished as named.

Third race, mile and a sixteenth—Mortiboy, 102 (W. Kelly), 3 to 1, won; Taunt, 87 (Gilbert), 20 to 1, second; Whildren, 91 (Buxton), 15 to 5, third. Time, 1:59.1.5. Husky, Eduardo, Dollie Dollars, Gromobol and Woolma finished as named.

Fourth race, one mile, selling—Brook-102 (W. Kelly), 12 to 1, won; Massa, 36 (Gilbert), 2 to 1, second; Fred Bent, 101 (Kirschbaum), 11 to 2, third. Time, 1:42.5. Judge Nelson and Tom Shaw finished as named.

Fifth race, one mile, selling—Brook-102 (W. Kelly), 12 to 1, won; Massa, 36 (Gilbert), 2 to 1, second; Fred Bent, 101 (Kirschbaum), 11 to 2, third. Time, 1:42.5. Judge Nelson and Tom Shaw finished as named.

Sixth race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

Seventh race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

Eighth race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

Ninth race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

Tenth race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

Eleventh race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

Twelfth race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

Thirteenth race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

Fourteenth race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

Fifteenth race, six furlongs—Smiley Corbett, 107 (W. Miller), 4 to 5, won; Pain-rolta, 104 (Scoville), 2 to 1, second; Ocean Shore, 112 (Sandy), 9 to 2, third. Time, 1:41.1.5. Sea Lad, Pleasant, Bertrando, 144 L.S. and Galvanic finished as named.

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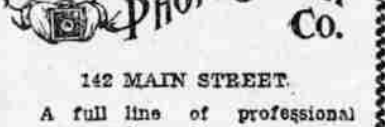
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IMPROVEMENT LEAGUES HOLD BUSINESS AND SOCIAL SESSION

At a joint meeting of the Poplar Grove Improvement league and the Eighth Ward Improvement league, held Wednesday night in the Twenty-sixth ward hall, a very fine musical programme was interspersed with the regular business of the two leagues.

An address on "Landscape Gardening and Home Beautifying," was given by Mr. Byhouwer, superintendent of parks of Salt Lake City. Mr. Byhouwer was listened to closely by a large audience, composed of residents of the west side.

The membership in these two leagues is composed of residents living west of the Rio Grande Western tracks and south of First South to the limits of the city. The membership in the two leagues has of late been rapidly increasing. A large amount of work has been done looking to the improvement of general conditions. Various subjects have been discussed and much enthusiasm has been manifested by the residents of the west side.

In years past it has been the habit of many old citizens to use the vacant land on the west side as a dumping ground. This has been strongly protested against. Sidewalk extensions have been encouraged and secured, while through the influence and energy of the leagues the time in which the Utah

Light and Railway company is to begin operations in its extension of street railways was reduced on Eighth Ward from four to two years. The time of beginning extensions in other parts of the city is four years. The league is working for the construction of a viaduct across the Rio Grande and the Short Line tracks on Seventh South. The promise of the establishment